

REMARKS

Claims 242-262 are currently pending, wherein claims 242, 249 and 256 are in independent form.

Claims 242, 249 and 256 have been amended hereby.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

Regarding the Claim Rejections

In the pending Office Action, claims 242, 245, 246, 249, 252, 253, 256, 259 and 260 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 7,505,759 to Rahman (hereinafter the *Rahman* reference) in view of International Publication No. WO 00/31931 to Gehrman (hereinafter the *Gehrman* reference). The Office Action has also alleged additional §103(a) rejections as follows: (i) claims 243, 250 and 257 stand rejected as being unpatentable over the *Rahman* and *Gehrman* references in view of Official Notice; (ii) claims 244, 251 and 258 stand rejected as being unpatentable over the *Rahman* and *Gehrman* references in view of U.S. Patent Application Publication No. 2005/0278641 to Mansour et al. (hereinafter the *Mansour* reference); and (iii) claims 247, 248, 254, 255, 261 and 262 stand rejected as being unpatentable over the *Rahman* and

Gehrmann references in view of U.S. Patent No 6,807,277 to Doonan et al. (hereinafter the *Doonan* reference).

Without necessarily acquiescing in the characterization provided in the Office Action with respect to the applied art, pending claims, or both, Applicant respectfully submits that the foregoing §103 rejections have been overcome or otherwise rendered moot by way of the present response.

The claimed embodiments are broadly directed to redirecting data items from a messaging host system to a user's mobile device. As set forth in base claim 242, the claimed method recites, *inter alia*, "detecting new data items for the user as they arrive at the messaging system by the redirector host system, wherein the new data items are addressed to the user's mailbox associated with the messaging host system". Substantially identical features are also recited in base claim 249 (directed to a system for redirecting data items) and base claim 256 (a computer-accessible medium having sequence of instructions executed in conjunction with a processing entity).

The Office Action has equated the receiver 34 that is part of a wireless data server 20 disclosed in the primary reference, i.e., *Rahman*, with the messaging host system as set forth in Applicant's claims. However, such a correspondence fails because

the receiver 34 merely receives data messages addressed to a user's mobile station rather than messages addressed to the user's mailbox associated with the messaging system as currently recited. See steps S10 of FIG. 3 and S56 of FIG. 4 of *Rahman*. At least based on the foregoing rationale, Applicant submits that *Rahman* is deficient at least with respect to the features relating to detecting new data items that are addressed to the user's mailbox as they arrive at the messaging system by the redirector host system and such deficiency is not cured by the secondary/tertiary references relied upon in the pending Office Action.

As argued previously in Applicant's response of September 29, 2010, *Gehrmann* is of no avail for purposes of maintaining a *prima facie* case of obviousness inasmuch as *Gehrmann* does not cure or otherwise address the deficiencies of *Rahman*. Likewise, the other references, i.e., *Mansour* and *Doonan*, also fail to teach or suggest detecting new data items that are addressed to the user's mailbox as they arrive at the messaging system.

At least for the foregoing reasons, it is believed that all pending claims 242-262 of the present patent application as currently constituted are patentably distinguishable over the applied art of record.

Reservation of Rights

Notwithstanding the foregoing, Applicant reserves all rights not exercised in connection with this response, such as, e.g., the right to challenge or rebut any tacit or explicit characterization of any reference or of the present claims, the right to challenge any Official Notice(s) taken, the right to challenge or rebut any asserted factual or legal basis of any of the rejections of the present Office Action, or the right to swear behind any cited reference such as provided under 37 C.F.R. §1.131 or otherwise.

Fee Statement

Compared to the highest number previously paid for, the total number of claims and the number of independent claims have not increased. No petition for an extension of the reply period is being made. Applicant is filing herewith a Request for Continued Examination (RCE) of the instant patent application. Accordingly, payment via electronic filing is being authorized in the applicable amount. Applicant believes no additional fees are due for the filing of this Submission. If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130.

SUMMARY AND CONCLUSION

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the presently pending claims and in further view of the above amendments and/or remarks, reconsideration of the Action and allowance of the present patent application are respectfully requested and are believed to be appropriate.

Respectfully submitted,

Dated: February 14, 2011

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